

REMARKS

Claims 1-20 and 25-32 are pending. No claims have been cancelled, no claims have been amended. Applicants thank the Examiner for the detailed review of the pending claims.

In the Office Action, claims 1-20 and 25-32 were rejected under both the first and second paragraphs of 35 U.S.C. §112, as failing to comply with the enablement requirement, and as being unpatentable for failing to particularly point out and the subject matter which applicants regard as the invention. Applicants respectfully disagree. For at least the reasons set forth below, all pending claims are believed to be in condition for allowance. All claim rejections are believed to be addressed herein.

Claim Rejections Under 35 U.S.C. § 112

All pending claims have been rejected under 35 U.S.C. §112, both first and second paragraphs. The rejections all concern the inclusion in independent claims 1, 6, 11 and 16, as well as in several independent claims, of the term “detranslate,” or variations thereof. Examiner claims the term “detranslate,” and/or associated variations thereof, is indefinite and as such, the “claim(s) contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.” Similarly, Examiner states that inclusion of the term “detranslate,” and/or associated variations thereof, cause the claims to be “indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.” Applicants respectfully disagree.

In support of the rejections, Examiner first points out “that she is unfamiliar with the use of such a term within the fields of art applicable to the instant application” (Office action, page 3, last paragraph). Examiner further states that none of the references to “detranslating” within the specification discloses exactly what is meant by the term. Applicants disagree.

The term, both on its face and in context, is sufficiently clear to allow one of skill in the art to make and use the subject matter described in the application. Applicants further believe that the term would be familiar to one of skill in the art to which it pertains. Claim 1, for example, recites in relevant part:

“a translator configured to *detranslate predetermined portions* of packet header information of a data packet according to a cipher algorithm keyed by the cipher key, wherein *the predetermined portions include a previously translated address, the previously translated address being detranslated into the address*”.

Independent claims 6, 11 and 16 also include reference to detranslating. It is apparent from a plain reading of claim 1 that the translator is operative to restore portions of a packet header, including an address, into a form which it was in prior to a translation process. According to a plain reading of a portion of claim 1, at least an address is translated from an initial form into a translated form. The detranslation process restores the address to the pre-translated form.

Such a reading of the claims, and such an interpretation of the term “detranslation,” is supported by Applicants’ disclosure. See, for example, paragraphs [0047] and [0048] of the instant application:

“Table 2 illustrates how the contents of the encrypted byte array 310 are repacked into the original TCP/IP packet header, thereby replacing the old (original) information. *The packet header at this point is said to be translated.* Once translated, this packet is transmitted across the Internet 36 to the destination enclave 33, targeted to the receiving host 34.”

“*The destination ASD peer 35 intercepts the packet, verifies that it came from the sending enclave 30 and that the sending enclave 30 is trusted, and proceeds to restore the packet header back to its original form. Restoration proceeds similarly to translation: first, packet header data: Identification, Source Host portion of the Source Address (i.e., lower 8-bits), Destination Host portion of the Destination Address (i.e., lower 8-bits), Source Port, Destination Port, Sequence Number, Acknowledgement Number, and Padding are extracted and packed into a byte array. Then the byte array is run through the*

symmetric cryptographic algorithm to decrypt it, using the negotiated key. *The restored parameters are copied into the packet header, overwriting the original fields. The result is a restored header now resembling the original packet header created by the sending host 31.* The packet is then forwarded to the receiving host 34, completing delivery.”

(Emphasis Added)

In addition, see paragraph [0104]:

“At step S901, a packet comes in from a remote network. Assuming the packet had been translated according to the ASD technique of the present invention, next, in S902, the ASD translation method of the present invention (described above) detranslates the packet according to a prearranged algorithm.”

(Application, Paragraph [0104])

The preceding paragraphs together identify detranslation, and demonstrate an exemplary method in which detranslation, such as that described in independent claim 1, may be practiced. One of one skill in the relevant art would be able understand what is meant by the claims, and the accompanying disclosure, upon reading the disclosure. Further, one of skill in the art would then be able to make and / or use the subject matter disclosed therein.

Moreover, multiple issued U.S. patents, and published U.S. patent applications, include the term “detranslate,” showing that the term is generally accepted and understood by those of skill in the art. For example, U.S. Patent No. 6,826,684, which was co-pending with the instant application, and which is incorporated by reference into the instant application, teaches “In ASD to ASD communication, at the receiving peer, *received packets are detranslated to reconstruct the original packet headers* for proper routing within the receiving enclave” (See, e.g., column 20, lines 59-63 and FIG. 11). See also, for example, U.S. Patent No. 6,459,822 to Hathaway et al. which teaches “The result of these steps is that, for each video field in the video sequence, a change in magnification, rotation and translation of the key area is determined. *The video sequence may then be modified by ... detranslating each video field* in the video sequence” (Column 11, lines 27-32, *Emphasis added*). In addition, U.S. Patent No. 5,255,272 to Gill et al. teaches “Once the complete

data frame has been received and synchronized, *the nine (9) bit encoded bytes are de-translated into the eight (8) bit bytes of data and error correcting code*" (column 4, lines 53 – 56). Thus, the term "detranslating" has seen wide use in U.S. patents and patent applications, clearly indicating that the term is familiar to those of skill in relevant arts.

In addition, the term "detranslate" is a commonly used term. See, for example, <http://www.autoitscript.com/forum/index.php?showtopic=8366>, [http://www.algomusic.com/jmsl/docs/com/softsynth/jmsl/Translator.html#detranslate\(int\)](http://www.algomusic.com/jmsl/docs/com/softsynth/jmsl/Translator.html#detranslate(int)), and <http://www.koders.com/java/fid44B84A27D38C64721A0DCA2F5E455C2B514D8E2D.aspx>, all of which include programming scripts using the term "detranslate". Moreover, the term is used in many websites, from a useful Morse code detranslator at <http://www.qbit.it/lab/demorse.php> to potentially less useful English to Wookie translator / detranslator located at <http://selarips.free.fr/wookieetranslator/>.

Accordingly, the term "detranslate", and variations thereof, is familiar to those of skill in the relevant art. Moreover, the disclosure includes sufficient description that one skilled in the relevant art would be able to make and / or use the subject matter thereof. Further, the claims in view of the foregoing remarks, the claims are sufficiently defined that one of ordinary skill in the art would understand the metes and bounds of what the Applicants regard as their invention. Accordingly, Applicants respectfully request the rejections to the independent claims be withdrawn and the claims be allowed to issue. Further, dependent claims 2-5, 7-10, 12-15, 17-20, and 25-32 are patentable at least for being based on an allowable independent claim.

In view of the preceding comments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support

the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65632-0534 from which the undersigned is authorized to draw.

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Respectfully submitted,

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